11/20/2008

Position of The Public Water Coalition of California

A united effort by public water agencies, utilities and leaders from the Bay Area, Northern and Southern California committed to solving our state's water problems

Common Pursuit of Delta Solutions

I. Introduction and Core Principles for Advancing Delta Solutions

The Public Water Coalition of California was initiated by major public water suppliers who share a common view on the core elements of a solution to Delta issues. It is joined by others who share a desire to see effective progress in resolving water supply and associated Delta management issues. This Coalition includes the largest water management regions of California, whose public water agencies serve the vast majority of the State's population and most of its irrigated lands. Regions represented are: (a) the Sacramento Valley, as represented by the Northern California Water Association, the Tehama Colusa Canal Authority agencies, and municipal and industrial suppliers in the greater Sacramento region; (b) the east side of the San Joaquin Valley, as represented by the San Joaquin River Group Authority and the Friant Water Authority; and (c) Contractors of the Central Valley Project and the State Water Project, which supply water to portions of the Bay Area, the west side of, and the southern San Joaquin Valley, as well as the Central Coast and Southern California, as shown on Figure 1. We support actions to achieve coequal goals of a sustainable ecosystem and improved water supply reliability. We believe the state's prosperity and quality of life are dependent upon clean, affordable, reliable and sufficient water supplies. To maintain this prosperity while accommodating inevitable population growth, California must invest both within the Delta and in regional self-sufficiency. For the Delta, new conveyance, habitat expansion and diversification, strategic flood management, and actions to address water quality degradation and other stressors impacting the system are needed. Investments in water conservation, surface and groundwater storage, recycling and desalination are essential throughout California. Solutions must be integrated and managed adaptively. Above all, we recommend the state begin immediately to implement the physical improvements for water supply and ecosystem function within the Delta described here. While the full outcome of these actions cannot be known with certainty, it is clear that the cost and risk to California of further delay is unacceptable.

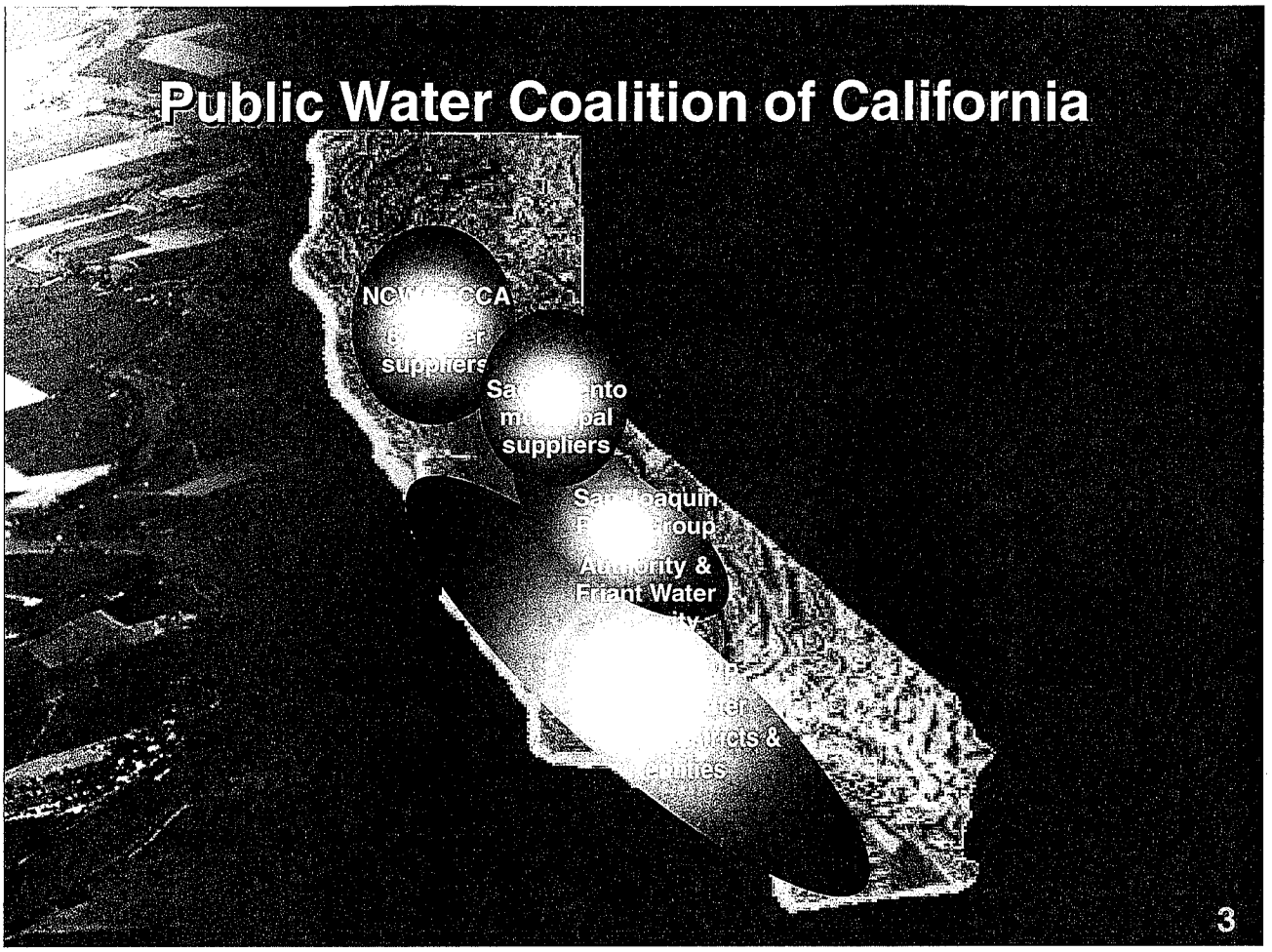


Figure 1

Changes in water infrastructure, flood protection and ecosystem restoration within the Delta can and should be implemented in the context of maintaining the unique character of this region. As plans for new conveyance, ecosystem restoration and flood management improvements progress, it is essential that in-Delta interests be addressed and local officials engaged. All changes also must incorporate adaptation to climate change, rising sea levels, and unstable landforms to move toward a more sustainable future. Attempts to doggedly maintain the Delta landforms of today are not physically feasible, financially realistic or environmentally sound.

As necessary physical and operational modifications are made to better manage the co-equal goals of water supply reliability and ecosystem health, the following principles must guide the effort:

- Delta solutions, including ecosystem restoration and storage and conveyance, must be implemented in compliance with California's water

rights system and area of origin statutes, and must not create regulatory or ecosystem restoration burdens unrelated to the source of impacts.

- California's water endowment, combined with new infrastructure and management tools, can meet the State's long-term environmental, water supply and water supply reliability needs, including in the areas of origin as they develop. There remain times in almost all years where there is water in the system in excess of ecosystem needs and legal flow obligations. There is no need to consider a major overhaul of our long-standing water rights structure, but there is a need to better enforce it.
- The "reasonable use" requirement of the California Constitution's Article X, section two, and the "public trust" doctrine are fundamental parts of California's water law, and Coalition members operate in compliance with both. Under those authorities, water supplies should be subject to regulatory reallocations only where the reallocation: 1) addresses the targeted water use's environmental impacts; and 2) is proportional to those impacts. Beyond this authority, if the state must acquire water necessary to meet additional ecosystem needs, it should do so through market transactions, which will limit undesirable economic impacts.
- Water supply management, flood control, and ecosystem changes in the Delta must be designed and implemented in the context of a future vision for the Delta that accounts for sea-level rise and hydrology changes due to climate change, unstable landforms and a strategic levee investment strategy that can adapt to an uncertain future.
- Key structural investments in the Delta to restore export project water supplies to levels experienced before recent regulatory restrictions and improve ecosystem functions should be expedited. Action cannot wait for yet another lengthy planning process.
- A focused planning effort that directly involves local land use jurisdictions and that would define future land use geography and flood protection investments in the Delta is necessary to accomplish ecosystem restoration goals consistently with maintaining and promoting the concept of the Delta as a place.
- To promote innovative water supply, reuse, recycling and conservation projects statewide, unwarranted, duplicative and contradictory regulatory and legal impediments must be removed.
- Fees or charges on water use will only be supported where they will benefit the fee payers, for example by increasing water supplies or reliability, or improving water quality. Those who pay must have an appropriate degree of participation in the decisions pertaining to the use of those funds. Such fees would be expected to vary to reflect impacts and benefits in specific regions.

- Each diverter has an obligation to mitigate environmental effects of their individual diversions but that requires analysis of those effects and proportionality of payment relative to those effects. Any fees should proportionately relate to the impacts caused by the fee payer's activities.
- Public funding should support actions of general statewide environmental benefit.

Our recommendations constitute a comprehensive and integrated package of measures to increase water supply reliability and promote healthy Delta ecosystem. Although various aspects of the solution will move forward at different rates, a commitment must be made to implementing the complete solution. Another piecemeal approach to solutions for the Delta will result in continued decline of the ecosystem, further uncertainty for water supply, and expenditure of state and local money with no assurance of achieving sustainable results.

II. Water Supply and Reliability

a. Regional Diversity and Self-Sufficiency

The concept of regional self-sufficiency is embraced through the State's Integrated Regional Water Management Plans (IRWMP's) initiative. Coalition members have participated in IRWMP's to identify ways to optimize available water supplies, develop new local supplies, manage demands in a more comprehensive manner, and coordinate with other IRWMP regions. The existence of these IRWMP's presents an opportunity for DWR to coordinate its statewide analysis on analyses prepared locally in order to maximize the benefits of DWR plans and projects.

Recommended actions to address regional diversity and needs are the following:

1. DWR should promote development of IRWMP's to comprehensively cover the Delta watershed and in areas where exported water is used.
2. DWR should encourage coordination between IRWM regions and coordinate its own actions, through updates of the California Water Plan to better assist IRWMP participants.

b. Value of Conveyance for Ecosystem and Supply Reliability

Improvements to the Delta ecosystem and water supply reliability require creation of a system that reduces the inherent conflict between water supply and ecosystem health that have been placed in nearly constant conflict by the current method of moving previously stored water across the Delta. A dual-conveyance approach -- improving the existing channel through the Delta and constructing a new conveyance channel around the Delta -- is required. Past efforts to address the ecosystem and water reliability needs while maintaining a solely through-delta conveyance system have failed and, if further pursued, will continue to fail.

Current conveyance places these co-equal values in direct conflict because there is little flexibility in managing diversions to accommodate both needs; and its operation often dramatically alters natural flow patterns in the Delta necessary for more normal ecosystem function. The current system is also unacceptably vulnerable to seismic and flood risks. Additionally as a result of the current pace of sea level rise, in a few decades the current conveyance system will succumb to salinity intrusion. Adding a conveyance facility around the Delta addresses all of these problems and will provide better quality water for millions of Californians. Modeling analyses have shown that important in- Delta water quality objectives can be achieved under prudent operations of a new conveyance facility. The more choices in when and how to move water, the greater ability California will have to meet the flow needs of the Delta ecosystem, to achieve water supply reliability and adapt to any unforeseen changes and needs. Flexible conveyance is essential to better manage water and ecosystem needs. Ultimately, only real-world adaptive management and rigorous monitoring combined with improved infrastructure will provide the answers to achieve ecosystem and water supply recovery and reliability.

> **Delta Vision says** *"Over time, flow standards should be set through adaptive management processes rather than just permitting requirements."*

Recommended actions to address conveyance are:

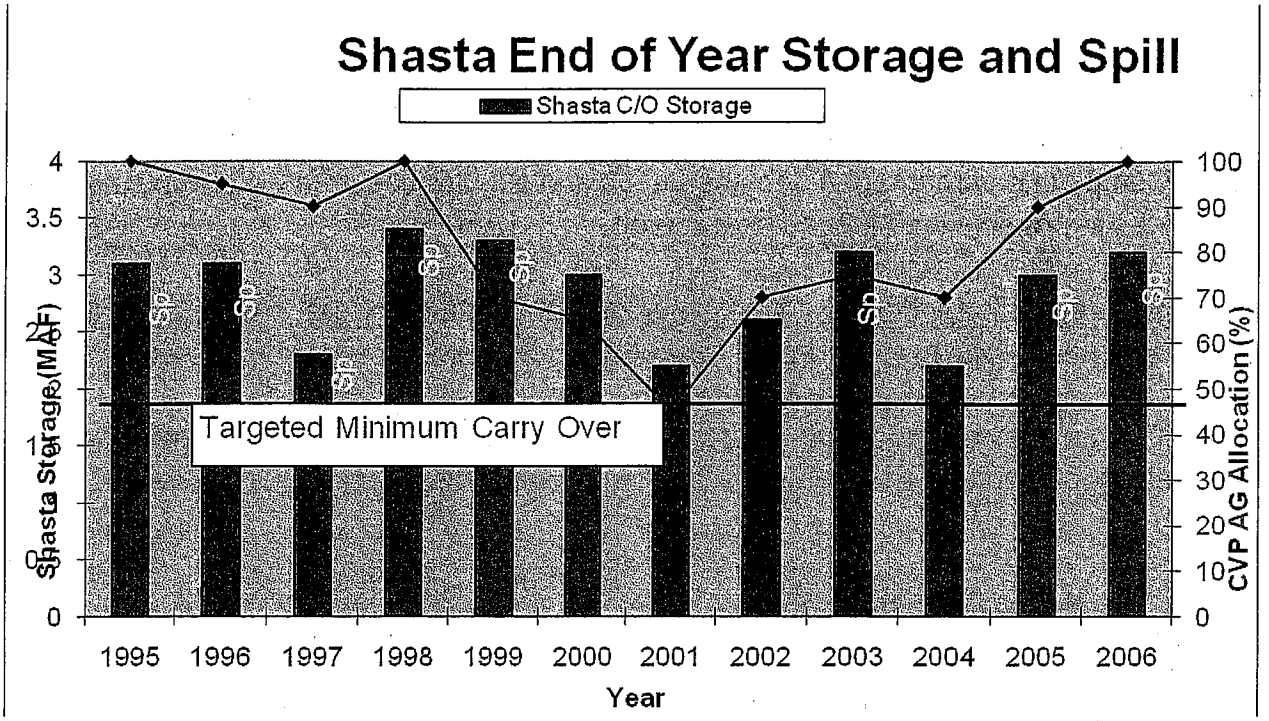
1. The Bay Delta Conservation Plan (BDCP), the Delta Habitat Conservation and Conveyance Plan and related environmental documentation efforts must proceed rapidly to decisions and implementation.

2. The SWRCB must modify Delta water quality objectives to incorporate the addition of new conveyance facilities, to introduce increased salinity variability for ecosystem restoration actions, to recognize the ability to move water when more benign to the environment and to provide additional ecosystem protection only

when the water-supply coequal goal can be maintained. These new objectives should incorporate and rely on real-time management flexibility.

c. Value of Storage

Due to recent court actions restricting Delta pumping, significant investments in storage and regional self sufficiency have been devalued. For example, over 6 million acre-feet of currently available surface and groundwater storage capacity upstream and downstream of the Delta has been rendered nearly useless or had operational flexibility seriously impaired. Storage south of San Luis Reservoir can no longer be filled in wet years and upstream storage releases cannot be sufficiently matched to pumping capability. Much of this storage has been developed in the last ten years. Even before these recent regulatory restrictions, in the period of 1995-2006, Shasta Reservoir operations required water that otherwise could have been used productively to be spilled in two-thirds of these years to provide for winter flood storage. Yet, in this same period, agricultural service contractors dependent on Shasta storage endured water shortages in three out of every four years (see figure below). This situation is primarily due to the inability to move water across the Delta to storage reservoirs or serve demands south of the Delta. Until Delta conveyance is fixed, there is limited value for most of California in investing in large storage projects connected to the State and Federal water systems.



While new conveyance will restore benefits from existing storage, in the longer term, new storage is necessary. Climate change induced loss of snowpack will significantly reduce the capacity of nature's largest "reservoir." In addition there are serious flood control and public safety implications from more precipitation falling as rain rather than snow. New investments in surface and groundwater storage also will enable better management of flows for the environment by making more water available in drier years. Coupled with more sophisticated management of existing reservoirs, new storage will improve supply sufficiency and reliability for water users and will provide better environmental management. If we are to have the flexibility to move water through and around the Delta at appropriate times, there must be places for the water to be stored until it is needed. This applies both to upstream locations from which water could be released to the Delta and to locations downstream of export diversions from which users could access it directly.

> Delta Vision says:
> "Improved storage and conveyance capacity offer increased opportunity for reliable water supply while improving ecosystem function."

Actions to address storage are:

1. Complete CalFed surface storage studies as quickly as possible.

2. Define benefits from alternative operations of new storage facilities to assess beneficiaries' willingness to pay for improvements.

3. Complete environmental documentation and acquire construction authorizations for the projects identified to be pursued.

4. Secure public funding to support the costs of creating general environmental benefits associated with those storage projects serving statewide interests.

5. The state should continue to financially support locally controlled groundwater storage improving regional self-sufficiency and providing benefits statewide.

d. Water Conservation

Water conservation is a key component in integrated regional water management strategies and in achieving water supply reliability across the state. An ethic of efficient use of water is a tenet shared statewide. While great strides have been made in many regions, additional efforts in many areas are also necessary and appropriate. The impacts and benefits of conservation efforts will vary by region. In some areas at some times, conservation may make "new" water available for consumptive use or environmental enhancement. In other areas, conservation benefits will accrue to water supply reliability and efficiency in that basin. In areas where unconserved water returns to river systems, benefits in terms of "new" water may be limited. Because of regional differences and variable outcomes of conservation actions, prescriptive, "one size fits all" approaches to water conservation can create unintended consequences and negatively affect integrated regional water management objectives. Such approaches penalize areas where water conservation has been successful and could impede multiple uses of the same water.

The following principles for implementing additional water conservation programs must be followed:

1) Conservation programs and objectives must be tailored to regional needs, recognize varied benefits and outcomes and distinguish between on-farm or individual user efficiency vs. basin-wide efficiency
2) Enhanced conservation must support regional self-sufficiency and not interfere with other legitimate water management objectives;
3) Beneficiaries pay principles apply – those that seek the benefits of the actions should pay the costs.

3) Conservation programs should rely on creating incentives for actions by benefiting those who act. Programs that look simply to confiscate the benefits of conservation actions for purposes other than improving local supply self-sufficiency should not be pursued.
4) State investment in conservation should focus on producing water which is voluntarily transferrable to other uses or contributes to regional self-sufficiency.
5) Consistent with Water Code section 1011 and existing water contracts, state water policy should recognize that conservation benefits accrue first to the conserving water user.[1]

Delta Vision says: "*The per capita rates of consumption and the economic uses of water differ greatly by geographic area, and therefore the conservation and efficiency investments that make economic and social sense* vary *regionally as well.*"

Urban Water Conservation

Existing law requires all urban water agencies of significant size who must file Urban Water Management plans to review conservation BMPs and implement those found to be cost effective against other alternatives for provision of new water supply/reduction of shortages.

Recommendations for Urban Water Conservation:

1) Current efforts to update the Best Management Practices for Urban Water Conservation should be pursued.

2) DWR should identify water providers that could upgrade and improve their water conservation actions through thorough review of Urban Water Management Plans consistent with current law, and provide technical assistance to those areas who request it.

3) Demonstration of compliance with the water code relative to implementation of BMPs should remain a prerequisite for grant funding eligibility, consistent with water code section 10631.5

[1] Water Code section 1011 states, in relevant part: "(a) When any person entitled to the use of water under an appropriative right fails to use all or any part of the water because of water conservation efforts, any cessation or reduction in the use of the appropriated water shall be deemed equivalent to a reasonable beneficial use of water to the extent of the cessation or reduction in use.

Agricultural Water Conservation

In agriculture, improvements in water use efficiency do not always produce benefits to the conserving entity, but may result in benefits to other water users in the same basin. For most farming operations upstream of the Delta, diversions are made from surface water or groundwater to provide for irrigation demands. In most years, water not used by crops generally returns to groundwater basins or surface water streams for other use. Throughout California, enhancing the capability to more closely match applied water volume with crop requirements can result in real water savings; however, it could also decrease how much water is recharged to groundwater basins, some of which are overdrafted and may reduce return flows used by others.

Delta Vision says:
"Conservation and efficiency by themselves will not resolve California's water issues."

Over the past decade, increased delivery costs and less reliable water supplies have led to adoption of aggressive on-farm strategies to achieve more efficient water use, but we recognize in some areas more can still be done.

Along with establishing conservation goals, planning how conserved water will be used must play a critical role in state water management. The California Water Plan (CWP) currently uses scenario planning and analysis to understand the implications of water policy, but more rigorous analysis is needed. That Plan projects total agricultural water use will decrease in the future under all scenarios as a result of reduced irrigated acreage and crop shifts.

Recommended actions to address agricultural water conservation are:

1. Complete the CWP update and determine water conservation targets for individual basins that reflect how water is reused, and how water use recharges groundwater, in each basin.
2. The state utilizing technical support from the CSU and UC systems and woking with the agricultural community should develop a strategy for agricultural water conservation.
3. DWR should target promotion of utilization of Efficient Water Management Practices for agriculture in areas found in the actions above that could benefit from advanced conservation efforts.

e. Real Time Operations/Monitoring/Reporting

> **Delta Vision says:** *"that Californians aggressively apply and enforce existing water rights laws, may be the most far reaching recommendation made by the Task Force."*

Much of California's surface water diversions are measured in real-time but that information is underutilized. There remain unmeasured and unreported diversions and a paper system is used for diversion reports to the SWRCB, which is of little value in real-time management of the system. Real-time measurement and reporting systems would allow for transparent sharing of information, better policing of permit terms and opportunities to better manage California's water. Before efforts are undertaken to modify flow requirements for environmental purposes, the State needs to do a more thorough job of assuring all water diversions are legal and exercised appropriately.

Recommendations to improve water operations are:

1. Initiate a pilot program to install real-time telemetered monitoring devices on permitted and licensed surface water diversions from streams tributary to and within the Delta that are currently not being monitored by CVO, OCO, or CDEC that divert more than 5cfs.

2. Develop a software program that automatically compares real-time telemetered data for permitted and licensed diversions against permit and license requirements. Have the system set alarms for field review by SWRCB water rights enforcement staff, in conjunction with quality control of data, assuring pursuit of enforcement actions only where exceedences are verified.

Funding for local infrastructure costs for the above is considered a cost of doing business and would be provided by the individual diverters. The state should ultimately see operational cost savings with this innovation.

f. The Water Rights System and Delta Management

The hallmark of California water rights is flexibility. Gold Rush miners invented the appropriative water right to allow them to move water from streams to distant areas where the water would be more useful to them. Consistent with this heritage, California water rights have allowed the state to prosper by supplying the legal foundation for moving water from areas adjacent to streams to areas where it is needed, either locally or elsewhere. Based on these rights, communities throughout California have invested billions of dollars in reliance on their water rights or water-supply contracts issued under others' water rights. Moreover, Delta watershed communities have relied on area of origin laws that provide that they shall not be deprived by the operation of the SWP and CVP of the prior right to develop future water supplies reasonably required to adequately supply beneficial uses in those areas. This Coalition therefore believes that such communities' water rights, and the related area-of-origin laws, must be respected as part of any Delta solution.

With a resource as variable as water, some flexibility in rights is by design. Appropriative water rights account for this flexibility because their holders can modify them as long as other legal users of water are not injured. This basic rule has supported a robust and growing water transfer market. If water is reallocated to ecosystem enhancement, reallocations must occur through voluntary transfers to the maximum extent possible in order to respect the massive investments communities have made based on their water rights. Involuntary and uncompensated reallocation of water supplies to ecosystem enhancement, where the reallocation is intended to address ecosystem impacts not caused by the water users, or is not proportional to the impacts caused by those users, conflicts with the water rights system and the investments that have been made based on that system. Such a reallocation would not only reduce the value of the targeted water user's investments, but would introduce significant uncertainty into the security of all water rights, which could seriously constrain water transfers.

This Coalition recommends that any Delta solution recognize the following to properly maintain and account for water rights:

1. Any Delta solution must avoid involuntary and uncompensated reallocations of water from legal water users that are not justified by the need to mitigate for impacts caused by those users;

2. Area of origin laws must apply to water delivered through any new Delta conveyance.

4. The SWRCB should remain the administrative forum in which to consider Delta water quality and flow requirements, because it can transparently

consider evidence, resolve scientific disputes and consider reasonable use issues under Article X section two of the California Constitution.

g. In - Delta Diversions

The SWRCB Strategic Plan for the Bay-Delta properly emphasizes the need for the Division of Water Rights to focus its enforcement activities on illegal diversions of water from the Bay-Delta. Simply halting illegal diversions within the Delta could potentially "free-up" as much as 500,000 acre-feet of water, or enough to supply 1.5 million California families. Since 1961 the SWRCB has recognized the need to determine water available for appropriation from the Delta. In the 1970's the Legislature recognized this need and set up the North Delta Water Agency (NDWA), Central Delta Water Agency (CDWA) and South Delta Water Agency (SDWA) to obtain water supply contracts from the Projects. To date, only the NDWA has negotiated a contract for water supply from the SWP.

Actions Recommended to Address in - Delta Diversions:

1. The SWRCB should commence hearings to establish a diversion schedule for in-Delta riparians and appropriators within the CDWA and SDWA based upon hydrology and water legally available for diversion in the Delta in the Bay-Delta Basin Plan in order to protect other beneficial users of water and the environment.
2. The SWRCB should immediately seek to identify and halt all illegal diversions.

h. Water Transfers:

In the last 25 years, as it has become clear that the opportunities to create new water supplies by building substantially more facilities may be limited, Californians have developed an increasingly sophisticated and voluntary water transfer market to meet short-term and long-term demands. California law has evolved to support such efforts by recognizing that the certainty of water rights is a precondition to effective transfers. In Water Code section 109, subdivision (a), the Legislature found and declared that:

> "The growing water needs of the state require the use of water in an efficient manner and that the efficient use of water requires certainty in the definition of property rights to the use of water and transferability of such rights."

This statute recognizes that no one will transfer water if there is a risk that a transfer will endanger the underlying water right. With legal assurance against such a risk, California water users have developed many techniques to make water available to transfer voluntarily to other water users. Water Code section 1011 authorizes the transfer of water made available through conservation projects. Water Code section 1011.5 authorizes the transfer of surface water made available through the conjunctive use of groundwater. Intra- and inter-regional water transfers have occurred consistently since 1991. Such transfers are made possible by the underlying flexibility of appropriative water rights.

While transfers have occurred, they are hindered by overly cumbersome regulatory requirements and are subject to repeated litigation. Many recurring transfers have shown that they can be an efficient, flexible and timely means of providing needed water supplies in times of shortage without injuring other beneficial uses of water. Due to extensive and repetitive regulatory requirements, however, water transfers are becoming more expensive and more difficult to implement, which is a trend that will impair the State's ability to match supply and demand through efficient use of water delivery infrastructure.

Recommended Actions Necessary to Promote Water Transfers:

1. Enact changes to the Water Code to expand the number of water transfers which can be considered ministerial to include those where the seller's and buyer's existing permit requirements, and water quality objectives, are maintained.

II. Ecosystem Restoration

After nearly thirty years of focus on water project operations and flow as the ecosystem management tools of choice and little or no attention to the myriad of other ecosystem stressors, a new, comprehensive and science-based approach to Delta ecosystem restoration is necessary if water supply and ecosystem needs are to coexist. This means reducing the impacts of all important stressors on the system, habitat creation and restoration, and active invasive and non-native species reduction. Proposed changes to flow requirements and project operations must be assessed in conjunction

with all available tools. In short, proposed Delta solutions must address the all actual causes of the Delta's problems. Environmental problems cannot be fixed without scientifically identifying their causes or simply focusing on one effect. Finally, the realities of climate change, with regard to both sea-level rise/salinity variation and an altered hydrograph, must be better assessed and incorporated into this comprehensive approach.

There has been much improvement in dedicated Delta science in recent years. That trend must continue. This is especially necessary within the resource agencies, where a more robust, adaptive and multi-faceted approach must also be promoted. While there will always remain uncertainties when it comes to predicting and trying to understand the natural world, the track record of the last decade has been poor – despite tremendous sacrifices of both water and financial resources by water users and Californians generally through bond outlays. We must increase our scientific capabilities and our willingness to boldly experiment to pursue improvements. We must also accept that we may ultimately fail, given the fundamentally altered state of the Bay-Delta system, uncontrollable factors, and our limited resources and understanding.
Major habitat restoration will be a cornerstone to rebuilding ecosystem processes and function that will promote natives over invasive species. It will be critical that this is done systematically. Restoring a complex, interconnected and functional mix of habitat types needs to be approached strategically. This can be done with farming activities that restore Delta landforms (tule-farming) rather than degrade them. While the primary interest of ecosystem investments is increasing the environmental health of the Delta estuary, the relationship to and integration with flood management is essential.

Sufficient quality, timing and quantity of flows in the estuary are part of a successfully functioning ecosystem. However, it cannot be presumed in the absence of thorough scientific review that major flow modifications in the system are necessary or that equivalent means to achieve the same ends are not available that would better maintain water supply reliability. The SWRCB is the administrative forum for determining flow needs for the Delta estuary through a process that is based on scientific evidence and balancing of the beneficial uses in the public interest of the water flowing through the Delta. Discussions within the Bay-Delta Conservation Plan (BDCP) should and must inform this SWRCB process. Conveyance changes will allow for better management tools to apply to ecosystem and water supply needs and the SWRCB can adapt water quality objectives, accordingly.

Increased efforts will be needed to work out strategies for the transition period before the time when new conveyance infrastructure is operational and ecosystem

improvements have materialized. We must be careful to ensure that difficulties in the near term do not derail implementation of proposed operational and regulatory changes, or other program investments as we progress toward what is expected to be a much improved and resilient situation in the longer-term. Moreover, it will be imperative that investments in water supply reliability not be held in abeyance as somehow secondary to or dependent upon habitat and ecosystem enhancements. It is time to move forward on all fronts immediately. As a practical matter, funding for ecosystem improvements will not materialize under conditions of economic distress caused by ongoing or increased constrictions on water supply.

Adaptive management will be critical to success, to maintaining the credibility of the program, ensuring economic efficiency and the best chance for positive outcomes from the ecosystem program. The BDCP effort is developing an adaptive management program that should be looked to as a model. Real-time monitoring will be crucial for this.

Recommendations for ecosystem restoration actions:

1. Develop a "Mark-Select" fishery program for Salmon to help recover central valley winter and spring runs, coastal and Klamath runs, and the ocean fishery.
2. Implemented active in-Delta predator control. The State's striped bass doubling policy and all other actions supporting predatory fisheries should be repealed. Active efforts to eradicate non-native predator species and structures that harbor these species must begin.
3. Reduce toxics entering Delta waters where those contaminants are adversely affecting the ecosystem.
4. Eliminate illegal in-Delta diversions by enforcing existing water-right laws.
5. Require screening of unscreened Delta diversions with public funding as appropriate.
6. Create a large-scale mix of interconnected native habitat types, restored from current uses, incorporating land building farming activities where viable in light of sea level rise.

III. Delta as a Place

The Delta is ever-evolving and cannot be maintained in its current form when realities of sea level rise, seismic risk and the limits of financial resources are logically considered. River deltas in nature are transitory features. California's

Delta Vision says: "*The state cannot and should not attempt to create an unsustainable 'fortress Delta.*"

management of the Delta has ignored this reality. Sea-level rise and seismic risk, combined with unsustainable agricultural practices on islands with peat soils only speed the inevitable transformation of Delta landforms. The Delta Vision Blue Ribbon Task force has recognized this and our future management of the Delta must as well. Planning for the future form of Delta geography must come to grips with a changing physical reality. State officials should more effectively engage with local land use agencies to develop cooperative plans to provide for emergency preparedness, habitat restoration, flood protection and accommodation of water transfer infrastructure.

Recommended Actions to Plan for the Delta's future geography:

1. State and local land use planning jurisdictions should engage in a planning effort to integrate ecosystem restoration habitat needs, flood management and other infrastructure into local county and Delta Protection Commission plans, while accommodating Delta export conveyance decisions that will be made at a state level.

IV. **Governance**

With appropriate task delegation, targeted increases in staffing and proper resource allocation, current authorities within existing state and federal agencies are sufficient to implement the core elements of a Delta solution.

A new Delta Conservancy could add value to the effort and is widely supported, provided its focus is directed on implementing ecosystem restoration projects. Separation of DWR's State Water Project operations from its planning, local assistance, flood management, dam safety and other such functions is worthy of serious investigation with broad input, as is ultimate consolidation of the Central Valley Project and State Water Project.

Contrary to the Delta Vision Blue Ribbon Task Force's recommendations, we do not support the creation of the California Delta Ecosystem and Water Council as proposed, or the development of the "CDEW" Plan. We support improved coordination of Delta solutions and related actions as described in this document.

Relative to land use affairs, any new and existing governance created or empowered to implement Delta solutions must include local representation, and engage and respect local land use planning authorities. These entities must also be engaged in discussions regarding conveyance solutions addressing statewide water needs.

Governance Recommendations:

1. The Delta Vision Committee should distill from the Delta Vision Strategic Plan, and the comments of Delta stakeholders, those actions that are necessary to improve the situation in the Delta as rapidly as possible and assign responsibility for implementing those actions to appropriate existing agencies. This is the only way to move forward on all fronts as rapidly as necessary.

2. The Delta Vision Committee should consider extending its existence to become the oversight entity for implementation of Delta Vision recommendations by line agencies, departments, and boards.

3. The incoming federal administration should appoint a high-level representative that would coordinate relevant federal agency participation and actions affecting the coequal goals with the Committee.

4. New authority for the Committee to direct line agency action and modify budgets to support implementation of its recommendations should be considered. The existing CALFED Bay-Delta effort and staff can be redeployed to support the continued and formalized Delta Vision Committee.